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REFERENCE TITLE: **ASRS retirees; eligibility for AHCCCS**

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
First Regular Session  
2005

## **HB 2473**

Introduced by  
Representatives McClure, Lopes: Senator Arzberger

**AN ACT**

**AMENDING SECTION 36-2901, ARIZONA REVISED STATUTES; RELATING TO THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 36-2901, Arizona Revised Statutes, is amended to  
3 read:

4 36-2901. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Administration" means the Arizona health care cost containment  
7 system administration.

8 2. "Administrator" means the administrator of the Arizona health care  
9 cost containment system.

10 3. "Contractor" means a person or entity that has a prepaid capitated  
11 contract with the administration pursuant to section 36-2904 to provide  
12 health care to members under this article either directly or through  
13 subcontracts with providers.

14 4. "Department" means the department of economic security.

15 5. "Director" means the director of the Arizona health care cost  
16 containment system administration.

17 6. "Eligible person" means any person who is:

18 (a) Any of the following:

19 (i) Defined as mandatorily or optionally eligible pursuant to title  
20 XIX of the social security act as authorized by the state plan.

21 (ii) Effective on October 1, 2002, defined in title XIX of the social  
22 security act as an eligible pregnant woman, as a child under the age of six  
23 years and whose family income does not exceed one hundred thirty-three per  
24 cent of the federal poverty guidelines or as children who have not attained  
25 nineteen years of age and whose family income does not exceed one hundred per  
26 cent of the federal poverty guidelines.

27 (iii) Under twenty-one years of age and who was in the custody of the  
28 department of economic security pursuant to title 8, chapter 5 or 10 when the  
29 person became eighteen years of age.

30 (iv) Defined as eligible pursuant to section 36-2901.01.

31 (v) Defined as eligible pursuant to section 36-2901.04.

32 (b) A ~~RETIRED OR~~ full-time officer or employee of this state or of a  
33 city, town or school district of this state or other person who is eligible  
34 for ~~hospitalization and medical care~~ HEALTH AND ACCIDENT COVERAGE under title  
35 38, chapter 4, article 4 OR TITLE 38, CHAPTER 5, ARTICLE 2 OR 2.1.

36 (c) A full-time officer or employee of any county in this state or  
37 other persons authorized by the county to participate in county medical care  
38 and hospitalization programs if the county in which such officer or employee  
39 is employed has authorized participation in the system by resolution of the  
40 county board of supervisors.

41 (d) An employee of a business within this state.

42 (e) A dependent of an officer or employee who is participating in the  
43 system.

44 (f) Not enrolled in the Arizona long-term care system pursuant to  
45 article 2 of this chapter.

1 (g) Defined as eligible pursuant to section 1902(a)(10)(A)(ii)(XV) and  
2 (XVI) of title XIX of the social security act and who meets the income  
3 requirements of section 36-2929.

4 7. "Malice" means evil intent and outrageous, oppressive or  
5 intolerable conduct that creates a substantial risk of tremendous harm to  
6 others.

7 8. "Member" means an eligible person who enrolls in the system.

8 9. "Noncontracting provider" means a person who provides health care  
9 to members pursuant to this article but not pursuant to a subcontract with a  
10 contractor.

11 10. "Physician" means a person licensed pursuant to title 32, chapter  
12 13 or 17.

13 11. "Prepaid capitated" means a mode of payment by which a health care  
14 contractor directly delivers health care services for the duration of a  
15 contract to a maximum specified number of members based on a fixed rate per  
16 member notwithstanding:

17 (a) The actual number of members who receive care from the contractor.

18 (b) The amount of health care services provided to any member.

19 12. "Primary care physician" means a physician who is a family  
20 practitioner, general practitioner, pediatrician, general internist, or  
21 obstetrician or gynecologist.

22 13. "Primary care practitioner" means a nurse practitioner certified  
23 pursuant to title 32, chapter 15 or a physician assistant certified pursuant  
24 to title 32, chapter 25. This paragraph does not expand the scope of  
25 practice for nurse practitioners as defined pursuant to title 32, chapter 15,  
26 or for physician assistants as defined pursuant to title 32, chapter 25.

27 14. "Section 1115 waiver" means the research and demonstration waiver  
28 granted by the United States department of health and human services.

29 15. "Special health care district" means a special health care district  
30 organized pursuant to title 48, chapter 31.

31 16. "State plan" has the same meaning prescribed in section 36-2931.

32 17. "System" means the Arizona health care cost containment system  
33 established by this article.